

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **JUAN EDUARDO COLON MARRERO**
SSN xxx-xx-9827
JUANA MARIA CORREA QUINONES
SSN xxx-xx-4452

Debtor(s)

CASE NO: **22-00979-MCF**

Chapter 13

TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325

***ATTORNEY FEES AS PER R 2016(b) STATEMENT:**

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***

Total Agreed: **\$4,000.00** Paid Pre-Petition: **\$132.00** Outstanding (Through the Plan): **\$3,868.00**

***TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325**

Debtor's/s' Commitment Period: ☒ Under Median Income 36 months ☐ Above Median Income 60 months §1325(b)(1)(B)
☐ The Trustee cannot determine debtor's/s' commitment period at this time. Projected Disposable Income: **\$0.00**

Liquidation Value: \$0.00 Estimated Priority Debt: \$0.00

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$0.00

With respect to the (amended) Plan date: **Jun 15, 2022 (Dkt 16)** **Plan Base: \$28,616.00**

The Trustee: ☐ **DOES NOT OBJECT** ☒ **OBJECTS** Plan Confirmation Gen. Uns. Approx. Dist.: **0 %**

The Trustee objects to confirmation for the following reasons:

[1325(a)(4)] Plan fails Creditors Best Interest Test.

- Trustee objects Debtor exemption over the real property because he does not have an interest over the property. This property only belongs to joint debtor. The case's liquidation value is subject to change.

[1325(a)(6)] Payment Default Feasibility – Debtor(s) is in default with proposed plan payments, to the trustee and/or creditor(s).

Debtor is one payment, or \$475.00, in arrears with the Trustee. The pending payment pertains to the month of June 2022, which became due on the 4th day of the month.

[1325(a)(6)] Insufficiently Funded – Plan funding insufficient to comply with plan scheduled distribution or no sufficient information to determine it.

The minimum base needed totals approximately \$29,600.00. The plan calc with the minimum base needed as been submitted to Debtor's counsel for evaluation. The insurance expense totals approximately \$1,512.00.

Ultimately, the minimum base needed will depend on the case's liquidation value which is yet to be determined.

***OTHER COMMENTS / OBJECTIONS**

NONE.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan PR 00902-3884
Tel. (787)977-3535 Fax (787)977-3550

Date: June 23, 2022

/s/ Nannette Godreau, Esq.

Last Docket Verified: 18 Last Claim Verified: 7 CMC: